

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

BY REQUEST OF THE CLERK OF THE SUPREME COURT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FEES COLLECTED BY THE SUPREME COURT;
REQUIRING CROSS APPELLANTS TO PAY A FILING FEE; REQUIRING GOVERNMENTAL ENTITIES TO PAY
SUPREME COURT FEES; INCREASING CERTAIN FEES AND ADDING FEES; AMENDING SECTIONS
3-2-403 AND 25-10-405, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 3-2-403, MCA, is amended to read:

"3-2-403. Fees. (1) The clerk ~~must~~ shall collect the following fees:

(1)(a) for filing the ~~transcript on~~ notice of appeal in any civil case appealed to the supreme court, ~~\$75~~
\$100 payable by both the appellant ~~as payment in full for all services rendered in the case up to the remittitur to~~
~~the court below and cross appellant;~~

(2)(b) for filing a petition for any writ, ~~\$75, as payment in full for all services rendered in the cause~~ \$100;

(c) for filing a certified question, \$100 payable by each party;

(d) for filing a formal complaint for disciplinary action against a licensed attorney, \$100;

(e) for retrieval of court records from the secretary of state, actual costs;

(3)(f) for a certificate of good standing as an attorney, \$5;

(4)(g) for preparing copies of documents on file, 15 cents per page;

(5)(h) for each certified copy under seal, \$1.

(2) A governmental entity, as defined in 2-9-101, shall pay all fees required by this section."

Section 2. Section 25-10-405, MCA, is amended to read:

"25-10-405. Governmental entities not required to ~~prepay~~ pay fees -- exceptions. The state, a
county, a municipality, or any subdivision ~~thereof~~ of those entities or any officer when prosecuting or defending
an action on behalf of the state, a county, a municipality, or a subdivision ~~thereof~~ of the entities is not required

1 to pay or deposit any fee or amount to or with any officer during the prosecution or defense of an action, except
2 fees required under 3-2-403, the fee under 25-1-201(1)(p) for filing a motion for substitution of a judge, and all
3 fees for photocopies, postage and handling, certifications, authentications, and record searches."

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5 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2007.

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